

Housing Elements: Tool to Create Vibrant, Livable Communities



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Today's Presentation

- Recent Changes to the Law
- Why Housing Element Updates Matter
- Resources to Adopt and Implement Housing Elements



Recent Statutory Changes Relevant for Next Update



■ AB 2348 (Mullin) 2004:

Requires more detailed inventory of sites to accommodate projected housing needs and provide greater development certainty.

Recent Statutory Changes Relevant for Next Update



■ SB 520 (Chesbro) of 2001:

Analysis (GC Section 65583(a)(4))

- Analyze constraints to housing development, maintenance and improvement of housing for persons with disabilities.
- Analyze zoning and land use, processing and building codes.

Program (GC Section 65583(c)(3))

- Address constraints.
- Establish appropriate reasonable accommodation procedure.

Recent Statutory Changes Relevant for Next Update



■ AB 1233 (Jones) 2005:

If prior element failed to identify or implement adequate sites, the local government must zone or rezone to address this need within one-year of update. This is in addition to new projected need.

Recent Statutory Changes Relevant for Next Update



■ AB 2634 (Lieber) 2006:

Requires quantification and analysis of existing and projected housing needs of extremely low-income households. Elements must also identify zoning to encourage and facilitate supportive housing and single-room occupancy units.

■ AB 2511 (Jones) 2006:

Amended several sections of general plan and housing laws. Includes provisions strengthening Anti-NIMBY protections and no-net loss requirements. Added potential penalties for non-reporting of annual general plan progress report.

Recent Statutory Changes Relevant for Next Update



■ SB 1087 (Florez) 2005:

- Requires local governments to IMMEDIATELY forward adopted housing element to water and sewer providers.
- Requires water and sewer providers to establish specific procedures to grant priority service to housing with units affordable to lower-income households.
- Prohibits water and sewer providers from denying or conditioning the approval of, or reducing the amount of service for an application for development that includes housing affordable to lower-income households unless specific written findings are made.

Recent Statutory Changes Relevant for Next Update



■ SB 575 (Torlakson) 2005:

- Strengthens prohibitions against arbitrary denials of affordable housing projects. Amends finding allowing project denial if inconsistent with zoning and general plan -- This finding may no longer be made if project identified in element as suitable to meet low- or moderate-income need or if housing element did not identify adequate sites.
- Provides court authority to order local denial vacated and deem a project approved.
- Adds court authority to impose fines to be deposited to a housing trust fund if local government is found to have acted in bad faith for failing to carry out court order within 60 days.

Housing Element Updates Matter



Top 10 Reasons Why Housing Element Updates Matter

10.

Update timing sets stage for effectively accessing critical Infrastructure Funds from Strategic Growth Bonds.

Readiness Matters!



9.

Update creates real opportunity to implement regional goals including objectives from Compass Project.

Inter-jurisdictional Cooperation Matters!



Top 10 Reasons Why Housing Element Updates Matter

- 8.** Creates opportunity to implement new housing and smart growth initiatives — moving from rhetoric to action

Implementation Matters!

- 7.** Opportunity to focus on strategies to preserve and improve housing.

Existing Housing Stock Matters!



Top 10 Reasons Why Housing Element Updates Matter

- 6.** Creates mechanism to address housing market slow down.

Momentum Matters!

- 5.** Opportunity to engage public and critical stakeholders and build support for community goals.

Participation Matters!



Top 10 Reasons Why Housing Element Updates Matter

4.

Job growth and retention are jeopardized without adequate housing.

Results Matters!

3.

Growth is coming, only choice is whether communities plan well to maximize benefits and minimize impacts.

Vision Matters!



Top 10 Reasons Why Housing Element Updates Matter

2.

Communities are strongest and most successful when workers and families have access to safe affordable housing.

People Matter!



And..... the Number **ONE Reason
Why Housing Element
Updates Matter**

***Good Planning Produces
Good Results***



Planning Matters!

Resources to Adopt and Implement

- Workshops and Training Sessions
- Web-based Technical Assistance—including model elements
- Department's Housing Element Questions and Answers
- Data and Demographic Resources
- Site Visits
- Public Hearing Support
- Annual Report Forms
- Proposition 1C
- Other Department Programs
- Convene Resource Fairs --- Implementation



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